

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ALBERTO ROMERO, ISRAEL PINA,
MIGUEL FLORES, and ISRAEL BELLO,
and JESUS AGUILAR, on behalf of
themselves and other similarly situated
persons, known and unknown,

Plaintiffs,

v.

ACTIVE ROOFING COMPANY, INC., and
JOSEPH CAROLAN

Defendant.

No. 1:15-CV- 01347

Magistrate: Hon. Susan Cox

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL
APPROVAL OF THE PARTIES' STIPULATION OF SETTLEMENT**

Now come Plaintiffs Alberto Romero, Israel Pina, Miguel Flores, Israel Bello, and Jesus Aguilar ("Plaintiffs"), on behalf of themselves and all others similarly situated, and move this Court for Final Approval of the Parties' Settlement. In support of their Motion for Final Approval, the Plaintiffs state as follows:

1. On August 26, 2016, this Court granted Preliminary Approval to the Parties' Four Hundred Forty Five Thousand and 00/100 Dollars (\$445,000.00) settlement of Plaintiffs' claims on behalf of themselves and a class of other similarly situated employees of Defendants (Dkt. No. 102) for arising under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §201 *et seq.* the Illinois Minimum Wage Law, 820 ILCS 105/1, *et seq.*, ("IMWL"); and the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 *et seq.* ("IWPCA").

2. Final approval is appropriate where the court determines that a settlement is fair, adequate, and reasonable. *Synfuel Techs., Inc. v. DHL Express (USA), Inc.*, 463 F.3d 646, 652

(7th Cir. 2005). In determining whether a settlement is fair, adequate, and reasonable, courts in the Seventh Circuit consider a variety of factors including:

- a. the strength of plaintiffs' case, weighed against the settlement offer;
- b. the complexity, length, and expense of further litigation;
- c. the presence of collusion between the parties;
- d. the opinion of competent counsel;
- e. the reaction of class members to the proposal; and
- f. the stage of proceedings and discovery completed.

In re Mexico Money Transfer Litig., 164 F. Supp. 2d 1002, 1014 (N.D. Ill. 2000) (citing *Donovan v. Estate of Fitzsimmons*, 778 F.2d 298, 308 (7th Cir. 1985)). As explained in detail in the Parties' supporting memorandum of law, the Parties' Stipulation of Settlement here meets these factors and should be approved.

WHEREFORE, the Parties respectfully request that the Court enter a Final Order approving the Parties' Stipulation of Settlement.

Respectfully Submitted,

Dated: November 18, 2016

s/Alvar Ayala
Alvar Ayala
Christopher J. Williams
Workers' Law Office, PC
53 W. Jackson Blvd., Suite 701
Chicago, Illinois 60604
(312) 795-9121

Attorneys for Plaintiffs